IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

FIRST APPEAL NO.114 OF 2000

The New India Assurance Company Ltd.,
Thane D.O., Shivkrupa Commercial Centre,
Shivaji Nagar, Thane-400 601. Appellant

vs.

1. Ramnarayan Bhagwati Pathak, Age:41
yrs., Father of the deceased Rimzim
alias Vijay-kumar Ramnarayan Pathak. Respondent no.1

2. Shobhavatidevi Ramnarayan Pathak,
Age: 35 yrs., mother of the deceased.
Residing at: Shri Nagar, Madina Market,
Near Shetty Chemicals,
Saki Vihar Roasd, Sakinaka,
Bombay 400 072. Respondent no.2

3. Mrs.Shuklavati Ramdeo Pathak,
Khairani Road, Sakinaka, Madina
Market, Shri Nagar, Mumbai 400 072.
(owner of M/Jeep No.MZM-7871)
(As per Insu. Cover Note Respondent no.3

CORAM : ANOOP V. MOHTA,J.

DATED : 18th July, 2007

ORAL JUDGMENT:

The appellant-insurer has challenged the order dated 5.7.1999 passed by the Motor Accidents Claims Tribunal, Thane whereby awarded the interim compensation of Rs.25,000/- to the claimant towards no fault liability.

2. The date of accident is 29.5.1994. The impugned order is dated 5.7.1999. The interim award/amount as

awarded even otherwise need to be adjusted towards final claim, if any. Therefore, at this stage, without observing anything on the merits of the submission and/or grounds raised by the appellants and keeping all points open, the present appeal is dismissed.

3. No costs.

[ANOOP V. MOHTA,J.]